

REMARKS

Claims 1 through 18 continue to be in the case.

New claim 19 is being introduced.

New claim 19 is based on the language of claim 1 as originally filed with the PCT-Application.

The Office Action of March 23, 2004 refers to the Specification.

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

However, if the abstract of the national stage application is used, the abstract is objected because it is not within the range of 50-150 words.

An Abstract of the Disclosure is attached to the present amendment.

2. The disclosure stands objected to because of the following informalities:
 - the referral to claim 1 in line 9 of page 1 of the specification;
 - The referral to claim 1 has been cancelled.
 - the end character "°" as in the phrase "electrodes°" in line 10 of page 2 and throughout the specification (emphasis added);

The end character "°" has been eliminated whenever encountered in the specification.

- the wording starting in page "4 new" does not follow with the wording in page 3;
Apparently the numbering of the English translation pages is not consistent with the numbering of the original German pages. A substitute specification has been prepared which attempts to consistently incorporate the pages entitled "new".
- the last paragraph in page "4 new" is incomplete (emphasis added);
A substitute specification has been prepared which attempts to consistently incorporate the pages entitled "new".
- the wording starting in page "7 new" does not follow with the wording in page 6;

Nothing new was found in page "7new". The wording starting in Page "10 new" does not follow with the wording in Page 9;

A substitute specification has been prepared which attempts to consistently incorporate the pages entitled "new".

- the wording starting in Page "10a new" does not follow with the wording on Page 11;
and

A substitute specification has been prepared which attempts to consistently incorporate the pages entitled "new".

- the incorrect reference character in the Phrase "the lower electrode 5". Appropriate correction is required.

The lower electrode in the specification, page 11, line 21 is now associated with the reference numeral "4".

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Applicant is correcting the specification wherever deficiencies are encountered.

4. Claims 1-17 stand objected to because of the phrase "characterized in that" in claims 1-17 is not conforming to standard U.S. practice and because of the typo error in the Phrase "each have a dielectric constant" (emphasis added). Appropriate correction is required.

The language "each have a dielectric constant" could not be located in the claims.

The Office Action refers to the Drawings.

5. The drawing in Fig. 1 is objected to as the reference character "6" is not described in the specification.

The substitute specification contains the reference numeral "6".

The Office Action refers to Claim Rejections - 35 USC par 112.

7. Claims 1, 2, 4-10, 12, 13, 15 and 16 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the phrase "one of the main surface" lacks antecedent basis (emphasis added). The phrase "whereby" (in two occurrences) is preferred to change to --wherein-- to eliminate reference to an action follows the phrase that does not necessarily occur. The phrases "which is exposed to air" and "the minor discharge effect occurs" are indefinite for the reference to a method of operating the device.

Claim 1 has been amended to overcome the rejections.

In claim 2, the phrase "the distance" lacks antecedent basis and is confusing as to what distance is claimed. The same is applied to claim 1 to the phrase "whereby".

In claim 4, the same is applied to claim 1 to the phrase "whereby". The phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP 5 2173.05(d).

In claim 5, the same is applied to claim 1 to the phrase "whereby".

In claim 6, the same is applied to claim 1 to the phrase "whereby".

In claim 7, the same is applied to claim 1 to the phrase "whereby". The phrase "preferably" (in two occurrences) renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention.

In claim 8, the same is applied to claim 1 to the phrase "whereby".

In claim 9, the same is applied to claim 1 to the phrase "whereby".

In claim 10, the same is applied to claim 1 to the phrase "whereby". The phrase "the supply point" lacks antecedent basis.

In claim 12, the phrase "either of graphite ... iron oxide" is confusing when the term means "the choice between only two options" and the claim recites more than two options. Also the above phrase is confusing because it recites too many "or" (emphasis added). The phrase "such as" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP 5 2173.05(d).

In claim 13, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP 8 2173.05(d).

In claim 15, the same is applied to claim 1 to the phrase "whereby".

In claim 16, the phrase "are grounded ... earth" is indefinite for the reference to a method of operating the device.

Claims 1, 2, 4 to 10, 12, 13, 15 and 17 have been amended to obviate the rejections.

The Office Action refers to Allowable Subject Matter.

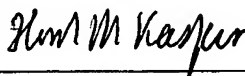
8. Claims 1-17 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Applicants appreciate the finding of allowable subject matter. The present amendment is intended to place the claims in fully allowable form.

Reconsideration of all outstanding rejections is respectfully requested. All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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